



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,644	11/28/2001	Naoshige Kido	P21738	5562

7055 7590 02/04/2005

GREENBLUM & BERNSTEIN, P.L.C.  
1950 ROLAND CLARKE PLACE  
RESTON, VA 20191

EXAMINER

LIU, SHUWANG

ART UNIT PAPER NUMBER

2634

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

K

<b>Office Action Summary</b>	<b>Application No.</b> 09/926,644	<b>Applicant(s)</b> KIDO, NAOSHIGE	
	<b>Examiner</b> Shuwang Liu	<b>Art Unit</b> 2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
- 1. ☒ Certified copies of the priority documents have been received.
  - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/07/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. Figures 1A, 21, 22A, and 22B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because there are no labels for blocks 105, 107, 109, 103 et al. in figure 21. These blocks need to have descriptive labels under 37 CFR 1.84(n) and 1.84(o).

### ***Specification***

3. The disclosure is objected to because of the following informalities:

- (1) On page 4, line 3, "11" should be - -511- -; and
- (2) On page 16, line 27, "FIG. 2A" should be - -FIG. 2- -.

Appropriate correction is required.

***Claim Objections***

4. Claims 1, 2, 6, 7, 8 and 7 are objected to because of the following informalities:

(1) In claim 1, line 3, "n" should be - -X- -;

(2) In claim 1, line 11, change "units" to - -unit- - and "the" to - -an- -;

(3) In claim 1, line 12, change "chips" to - -chip- -;

(4) In claim 1, line 13, insert - -1-symbol equivalent- - before "data";

(5) In claim 1, line 16, delete "the";

(6) In claim 1, line 22, insert - -previous- - after "said";

(7) In claim 6, line 8, insert - -to generate dispreading results- - after "codes";

(8) In claim 6, line 9, insert "said" before "dispreading";

(9) In claim 8, line 23, change "value" to - -values- -;

(10) In claim 11, delete "wherein said integration circuit controls the range of integration circuit controls the range of integration using a shift register and" because this limitation repeats claim 10. Insert "further comprising" before "an inversion" in line 3; and

(11) In claim 12, line 5, change "correlation detection result" to - -correlation value" in order to be consistent with the limitation in claim 6.

Appropriate correction is required for all of claims having above similar problems.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) regarding claim 1:

It is unclear what "the same processing as said processing" in line 23-24 and "same symbol" in 29 refer to. Furthermore, claim 1 recites the limitation "the calculated symbol-unit correlation values" in lines 33-34. There is insufficient antecedent basis for this limitation in the claim.

(2) regarding claim 2:

It is unclear what "said steps" in line 4 refer to.

(3) regarding claim 3:

Claim recites the limitation "the amount of phase shift of said spreading code" in lines 19-20. There is insufficient antecedent basis for this limitation in the claim. It is also unclear what "the same processing as the previous processing" in line 26-27, "same symbol" in 29, and "the next same processing" in line 32 refer to.

(4) regarding claim 4:

Claim recites the limitation "the calculated symbol-unit correlation **values**" in line 3. There is insufficient antecedent basis for this limitation in the claim because there is only "detecting a symbol-unit correlation" **value** introduced before.

(5) regarding claim 5:

It is unclear what "said steps" in line 6 refer to.

(6) regarding claim 6:

Art Unit: 2634

It is unclear what "the same processing as the previous processing" in line 22 and "same symbol" in 21 refer to. Furthermore, it is whether "said storing means" in line 21 refers to the "temporary storage circuit" or the "storage circuit".

(7) regarding claim 8:

Claim recites the limitation "the same symbol aquired and stored" in lines 30-31. There is insufficient antecedent basis for this limitation in the claim because there is not symbol aquired and stored before. It is unclear what "the same processing as the previous processing" in lines 31-32 refers to.

(8) regarding claim 9:

It is unclear what "the same processing as the previous processing" in lines 33-34 refers to. Furthermore, it is whether "said storing means" in line 33 refers to the "temporary storage circuit" or the "storage circuit".

(9) regarding claims 13 and 14:

Claim recites the limitation "the acquired synchronization timing" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shuwang Liu whose telephone number is 571 272-3036. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

Art Unit: 2634

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shuwang Liu  
Primary Examiner  
Art Unit 2634

January 27, 2005